

FILED

2015 APR -7 A 10:12

U.S. DISTRICT JUDGE

BY _____
UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,

Case No. 2:12-cr-00289-JCM-PAL

Plaintiff,

ORDER

v.

TYRONE DAVIS,

Defendant.

On March 31, 2015, the government applied for and received a search warrant to obtain DNA from the Defendant, Tyrone Davis. The search warrant authorized a buccal swab, collecting interior oral scrapings so that Davis' DNA could be compared to the DNA swab of the firearm seized in relation to a felon in possession of a firearm which is the basis of this case. The warrant was executed on April 2, 2015, and returned April 7, 2015. The government submitted the warrant under seal with a proposed sealing order. However, the court found no justification for filing the warrant under seal and denied the government's application for an order sealing the affidavit.

However, the face of the search warrant and portions of the supporting affidavit contain Davis' date of birth and social security number which are personal identifiers which should be protected from public disclosure. Accordingly,

IT IS ORDERED that:

1. The Clerk of the Court shall file the Application Requesting Sealing Affidavit, Search and Seizure Warrant and supporting Affidavit for DNA Search Warrant under seal for the purpose of redacting Davis' personal identifiers.
2. Once the personal identifiers have been redacted from the Application, Search and Seizure Warrant and Affidavit, they shall be filed on the public record.

DATED this 7th day of April, 2015.

Peggy A. Leen
PEGGY A. LEEN
UNITED STATES MAGISTRATE JUDGE